

2) Remarks

Claims 1-27 are pending in the present application. Claims 1 and 12 are amended, and Claims 21-27 are added herein. The Applicant respectfully requests reconsideration and allowance of the pending application.

Claims 1-20 have been rejected by the Examiner under 35 U.S.C. § 102(e) as being anticipated by Wong, *et al.* (U.S. Patent Application 2002/0253551). In view of the changes to the claims herein and the following remarks, the Applicant respectfully traverses the Examiner's rejections.

Independent Claim 1 is amended herein to recite, "said trenches having equal dimensions." An example of support for this limitation may be found in the specification on page 7, lines 3 through 6 and Figure 1, as examples. This limitation is not taught or suggested by Wong *et al.* Rather, Wong *et al.* teach a MIM capacitor trench 2 that is wider than conductive stud vias 3. See Wong *et al.*, Figure 1 and related text.

Claim 1 is also amended herein to recite, "depositing a third conductive material over the thin dielectric layer within the first region trenches to completely fill the first region trenches." An example of support for this limitation may be found in the specification on page 9, lines 20 through 23 and Figure 5, as examples. This limitation is not taught or suggested by Wong *et al.* In contrast, Wong *et al.* teach partially filling the MIM capacitor trench 2. See the last four lines of paragraph 38 and Figure 7 of Wong *et al.*

Therefore, because Wong *et al.* do not teach or suggest the novel limitations of the Applicant's independent Claim 1, the Applicant asserts that Claim 1 stands allowable over the references of record.

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Furthermore, it is respectfully submitted that Claims 2-11, which depend from Claim 1, are allowable by reason of dependence from an allowable claim as well as for adding further limitations, which narrow the scope of the particular independent claim and compel a broader interpretation of the base claim upon which they depend.

Independent Claim 12 is amended herein to recite, "wherein the trenches in the first region and the trenches in the second region have equal dimensions," and "wherein the second conductive material completely fills the first region trenches." As discussed above, these limitations are not taught or suggested by Wong *et al.*, who teach both narrow and wide trenches, and partially filling the trenches with conductive material. Thus, it is respectfully submitted that the Applicant's independent Claim 12 is allowable over the references of record.

Furthermore, it is respectfully submitted that Claims 13-20, which depend from independent Claim 12, are allowable by reason of dependence from an allowable claim as well as for adding further limitations, which narrow the scope of the particular independent claim and compel a broader interpretation of the base claim upon which they depend.

Note that Claims 1 and 12 are also amended herein to more clearly define where the thin dielectric layer is deposited (Claim 1) and where the MIMCap dielectric is deposited (Claim 12).

Claims 21-27 are added herein. The addition of these claims does not add new matter to the present patent application. An example of support for new independent Claim 21 may be found in the specification on page 6, line 3 through page 10, line 4 and Figures 1-6. Examples of support for dependent Claims 22, 23, 24, 25, 26 and 27 may be found in Claims 1, 2, 3, 4, 6 and 7, respectively, in the patent application as originally filed. While these particular

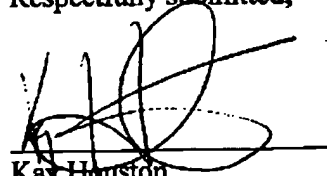
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references to the specification and claims are provided as examples, the Applicant makes no assertion that they comprise the only or the best examples of support. The Applicant respectfully submits that these newly added claims are allowable over the references of record.

In conclusion, the Applicant respectfully requests that the Examiner allow Claims 1-27, and pass the present patent application to issuance. If the Examiner should have any questions or feel that a discussion would advance the prosecution, the Applicant invites the Examiner to contact the Applicant's attorney at the telephone number listed below.

Respectfully submitted,



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